

**GOVERNMENT OF TELANGANA**  
**ABSTRACT**

Tribal Welfare Department – Telangana State - Mahabubabad District – Issue of Agency Area Local ST Certificates under GO Ms.No.24 of dt.12.6.2018 of TW (LTR.1) Department – Cancellation of Agency Area Certificate by the Collector & District Magistrate, Mahabubabad District vide Proc.No.REV/C3/214/93/2020, dt.22.02.2021 & Gazette Notification No.02/MABD/2021, dt.03.04.2021- Appeal filed by Sri Maloth Mothilal S/o Kishan, Junior Panchayat Secretary working at Venkatapuram GP of Bayyaram Mandal R/o Banjarathanda, Jagguthanda GP, Bayyaram Revenue Village, Bayyaram Mandal, Mahabubabad District - Appeal Allowed – Orders – Issued.

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**TRIBAL WELFARE (LTR) DEPARTMENT**

**G.O.Ms.No. 70**

**Dated: 08-11-2021**

**Read the following:-**

1. G.O Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Proc.No.REV/C3/214/93/2020, dt.22.02.2021 & Gazette Notification No.02/MABD/2021, dt.03.04.2021 of the Collector & District Magistrate, Mahabubabad District.
3. Appeal petition filed by Sri Maloth Mothilal S/o Kishan R/o Banjarathanda G.P. Jagguthanda, Bayyaram Revenue village Mahabubabad District Dt.31.03.2021 through the Endt.No.1735/M/(STW, W&CW) Dated:01.4.2021.
4. Govt.Memo No.446/TW.LTR/2021, dt.07.04.2021 & 23.06.2021.
5. Govt.Notice No.446/TW.LTR/2021, dt.07.04.2021, 19.04.2021 & 23.06.2021.
6. Lr.Rc.No.A1/DD(TW)/178/2021, dt.24.06.2021 of PO, ITDA, Bhadrachalam, Bhadradi Kothagudem District.

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**ORDER:**

In the reference 1<sup>st</sup> read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1<sup>st</sup> read above, the Collector & District Magistrate, Mahabubabad, vide his orders in the reference 2<sup>nd</sup> cited, has cancelled the Agency Area Local ST Certificate bearing Rc.No.D/1111/2018 dt.09.11.2018 issued by the Tahsildar Bayyaram to the Appellant Sri Mothilal S/o Kishan, on the ground that the applicant has furnished residential details from 1956 only, which reflects that he is not residing in the Agency area since 1950. Accordingly, Gazette Notification has also been issued on 03.04.2021 notifying cancellation of the ST Local Agency Area Certificate bearing Rc.No.D/1111/2018 dt.09.11.2018 issued to the Appellant.

3. Aggrieved by the above cancellation orders of the Collector and District Magistrate, Mahabubabad dated 22.02.2021, the Appellant Sri Maloth Mothilal S/o Kishan, Junior Panchayat Secretary working at Venkatapuram GP of Bayyaram Mandal R/o Banjarathanda under GP Jagguthanda of Bayyaram Revenue Village Mahabubabad District has filed an Appeal before the Government under G.O.Ms.No.24, dt.12.06.2018 in the reference 3<sup>rd</sup> read above and contending that:

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- i) He has been selected to the post of Junior Panchayat Secretary under Agency Area local ST category and posted in Venkatapuram GP of Bayyaram Mandal in Mahabubabad District on a monthly remuneration of Rs.15,000/-.
  - ii) The District Collector Mahabubabad has ordered for cancellation of his local ST certificate on the ground that documents produced by him show residential details only from 1956 instead of 1950.
  - iii) Himself and his ancestors have been continuously living in the Agency villages of Chinna Kistapuram village of Garla Mandal and later migrated to Banjarathanda of Jagguthanda Gram Panchayat in Bayyaram Mandal from before 1950 (now falling in Mahabubabad District).
  - iv) The Tahsildar, Garla has issued Migration Certificate bearing No.C/107/2021, dt.27.03.2012 certifying that himself and his parents/grandparents resided at Chinna Kistapuram village h/o Mulukanuru, Garla Mandal from 26.01.1950 to 2002, after that migrated to Banjarathanda village of Bayyaram Mandal in the present Mahabubabad District.
  - v) The Tahsildar, Bayyaram after conducting discrete enquiries about his Agency Area local ST status, has issued Agency Area local ST Certificate for three times i.e. 1) R.C.No.E/4449/2010, dt.06.09.2020 certifying that himself and his ancestors have been living in Banjarathanda h/o Bayyaram village and Mandal of Khammam District which is a scheduled village, 2) R.C.No.D/470/2016, dt.11.07.2016 certifying that himself and his ancestors have been residing in Banjarathanda h/o Bayyaram village and Mandal of Khammam District which is a scheduled village, 3) R.C.No.D/1111/2018 Dt.09.11.2018 certifying that himself and his ancestors have been residing in Banjarathanda of Bayyaram Mandal of Khammam District which is a scheduled village.
  - vi) As per family tree notarized and submitted before the Tahsildar, Bayyaram for issue of Agency Area local ST Certificate afresh, Maloth Jamla is great grandfather. He has three sons namely 1) Tejya 2) Rajya 3) Venkatya (grandfather). Maloth Venkatya i.e. grandfather of Appellant has six sons namely 1) Nandya 2) Chandya 3) Laxman 4) Kasna 5) Hachya 6) Kishan (father of the Appellant), Kishan i.e. father of the appellant has two children namely 1) Maloth Mothilal (Appellant herein) and 2) Maloth Anitha (daughter).
4. The Appellant has submitted the following documents wherein names of his grandparents/ancestors were recorded.
- i) Pahuthibhai 1952 shows name of Maloth Tejya i.e. eldest brother of grandfather Venkatya.

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- ii) Khasra pahani for 1954-55 of Mulukanur village, Garla Mandal shows name of Maloth Tejya (eldest brother of grandfather) for an extent of Ac.1.09 guntas in Sy.No.399/AA.
- iii) Theensal pahani 1955-56 to 1957-58 shows name of Maloth Venkatya (grandfather) for an extent of Ac.3.18 guntas in Sy.No.179/A in Singaram village of Bayyaram Mandal.
- iv) Pahani for 1975-76 of Mulukanur village Garla Mandal shows name of Maloth Tejya eldest brother of grandfather Venkatya for an extent of Ac.1.18 guntas in Sy.No.397 Maloth Rajya (eldest brother of his grandfather) for an extent of Ac.0.22 guntas in Sy.No.398/AA and Maloth Venkatya (grandfather) for an extent of Ac.0.21 guntas in Sy.No.398.
- v) Pahani for 1979-80 Mulukanur village Garla Mandal shows name of Maloth Venkatya S/o Jamla(grandfather) for an extent of Ac.0.21 guntas in Sy.No.398/1.
- vi) Pahani for 1981-82 Mulukanur village Garla Mandal shows name of Maloth Venkatya (grandfather) for an extent of Ac.0.21 guntas in Sy.No.398/1.
- vii) Pahani for 1999-2000 and 2009-10 of Mulukanur village Garla Mandal shows name of Maloth Sarvan S/o Tejya i.e. Son of eldest brother of his grandfather for an extent of Ac.1.18 guntas in Sy.No.397.
- viii) Voter list of 1988 of Chinna Kistapuram village Sl.No.107 to 109 recorded names of Venkatya (grandfather) Veeri (grandmother) and Kishan(father) under H.No.8-39.
- ix) EPIC No.AP/40/282/297728 issued to Kishan Maloth(father) on 15.12.1995 he was aged 50 years as on 01.01.1995.
- x) EPIC No.AP/40/282/297384 issued to Bulli Maloth W/o Kishan(mother) on 15.12.1995 she was aged 46 years on 01.01.1995.
- xi) Copies of certificates of schooling and college education.

5. The Appellant further stated that the Tahsildar, Bayyaram issued Certificates three times after due verification and discrete local enquiries, but the authorities have not given him opportunity/time to produce relevant documents to prove his claim. Hence, the Appellant has prayed the Government to consider his Appeal and also to stay operation of the proceedings of the Collector and District Magistrate, Mahabubabad dt.22.02.2021 till disposal of Appeal before the Government.

6. In the reference 4<sup>th</sup> read above, Government has admitted the Appeal and granted stay of the operation of the orders of Collector & District Magistrate, Mahabubabad in Proc.No.REV/C3/214/93/2020, dt.22.02.2021 and the District Collector, Mahabubabad has been requested to submit connected documents pertaining to the case along with para-wise remarks.

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7. Vide reference 5<sup>th</sup> read above, a Notice has been sent to the Appellant to attend for hearing on 26.06.2021 at 2.00 PM before the Government to prove his claim along with documentary evidences.

8. In the reference 6<sup>th</sup> read above, the PO ITDA, Bhadrachalam, Bhadradri Kothagudem District has submitted the connected documents related to the case and stated that the District Level Scrutiny Committee (DLSC) has verified the Agency Area Certificate of Sri Maloth Mothilal S/o. Kishan R/o. Banjarathanda, H/o. Bayyaram Village & Mandal, Mahabubabad District vide LST No.D/1111/2018, dt.09.11.2018 and rejected on the following reasons that "the Applicant has submitted different type of documents for obtaining LST. On verification of documents it is found that, the documents are fully tampered and clearly show by misguiding the authorities and taken LST. Hence, not recommended for genuineness of Agency Area Certificate.

9. It is submitted that the Appellant has attended hearing on 26.06.2021 and submitted certain documents in support of his claim that he belongs to the Agency Area local ST category of Mahabubabad District. The Appellant has also submitted certain further documents along with resolutions of the Gram Panchayaths of Jagguthanda (Bayyaram Mandal) and Chinna Kristapuram (Garla Mandal). The Gram Panchayat, Chinna Kistapuram of Garla Mandal has resolved that family of the Appellant and his ancestors lived in the village from before 1950 till 2002 doing agriculture and later migrated to the neighboring Banjarathanda village in Bayyaram Mandal for livelihood. The Gram Panchayat Jagguthanda of Bayyaram Mandal has resolved that the Appellant was migrated from Chinna Kistapuram village of Garia Mandal in the year 2002 and residing since then in Jagguthanda village.

10. Government after careful examination of the evidences available on record/produced by the Appellant and on the strength of the resolutions passed by the Gram Panchayaths Chinna Kistapuram of Garia Mandal and Jagguthanda of Bayyaram Mandal of the present Mahabubabad District, it is found that the Appellant and his fore-fathers have been continuously living in the Agency Villages of Chinna Kistapuram and Jagguthanda of Garla and Bayyaram Mandals from before 1950.

11. Therefore, the Appeal filed by the Appellant Sri Maloth Mothilal S/o Kishan R/o Jagguthanda, Bayyaram Mandal is hereby allowed, setting aside the orders in Proc. No. REV /C3/214/93/2020, dt. 22.02.2021 of the Collector and District Magistrate, Mahabubabad with its Gazette Notification No.02/MABD/2021, 03.04.2021 and also treated the Agency Area Certificate bearing Rc. No. D/1111/2018, dt.09.01.2018 issued to the Appellant by the Tahsildar, Bayyaram, as valid.

12. The Collector and District Magistrate, Mahabubabad District shall take further necessary action accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)**

**Dr.CHRISTINA Z.CHONGTHU**  
**SECRETARY TO GOVERNMENT**

To

1. The Collector & District Magistrate, Bhadradri Kothagudem District.

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2. Sri Maloth Mothilal S/o Kishan, Junior Panchayat Secretary working at Venkatapuram GP of Bayyaram Mandal, R/o Banjarathanda, Jagguthanda GP, Bayyaram Revenue Village, Bayyaram Mandal, Mahabubabad District.

Copy to:

1. The Secretary, Telangana State Public Service Commission, Hyderabad (for information & necessary action)
2. The Project Officer, ITDA, Bhadrachalam, Bhadradi Kothagudem District (for information & necessary action)
3. The District Panchayat Officer, Mahabubabad District (for information & necessary action)
4. The PS to Hon'ble Minister for ST Welfare for information.
5. The PS to Secretary (TW)
6. The PS to Special Secretary (TW)
7. SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER